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Before the
Federal Communications Commission
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of

WILLIAM F. CROWELL

Application to Renew License for Amateur
Radio Service Station W6WBJ

)
)
) WT Docket No. 08-20
)
)
)

) FCC File No. 0002928684
)
)

To: Marlene H. Dortch, Secretary
Attn: The Commission

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**ENFORCEMENT BUREAU'S OPPOSITION TO
CROWELL'S INTERLOCUTORY APPEAL**

1. On August 10, 2010, applicant William F. Crowell (Crowell) filed a petition to disqualify the Presiding Judge in the above-captioned matter.¹ On March 28, 2017, the Presiding Judge denied Crowell's Petition, finding it baseless in both fact and law.² On April 3, 2017, Crowell filed with the Commission an interlocutory appeal as a matter of right³ pursuant to Section 1.301(a)(3) of the Commission's rules (Rules).⁴ For the reasons discussed below, the Acting Chief, Enforcement Bureau (Bureau), through his attorneys, respectfully opposes Crowell's Appeal.

¹ See Applicant's Reply to Order to Show Cause and Petition to Disqualify ALJ (filed Aug. 10, 2010) ("Petition").

² See *Memorandum Opinion and Order*, FCC 17M-13 (ALJ, rel. Mar. 28, 2017).

³ See Licensee's Appeal to the Commission from ALJ's Denial of Motion to Disqualify Him Pursuant to 47 C.F.R., Chapter I, Subchapter A, Part 1, Subpart B, § 1.245 [47 C.F.R., Chapter I, Subchapter A, Part 1, Subpart B, § 1.301] (filed Apr. 3, 2017) ("Appeal").

⁴ See 47 C.F.R. § 1.301(a)(3).

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2. The Appeal should be denied because it too lacks any basis in fact or law. Indeed, the Appeal does not contain any specific discussion of, or citations to, *Memorandum Opinion and Order*, FCC 17M-13, the very order it purports to challenge.⁵ Nor does the Appeal cite to any part of the record in this case, or provide any precedent that would support the Commission's review or reversal of *Memorandum Opinion and Order*, FCC 17M-13. Rather, the Appeal amounts to nothing more than a stream of unsubstantiated and frivolous *ad hominem* attacks on the Presiding Judge and Commission staff. As such, the Appeal should be denied as baseless.

3. In addition, in an apparent effort to effort to circumvent the five (5) page-limit set forth in Section 1.301(b)(5) of the Rules,⁶ the Appeal does not appear to be double-spaced with a minimum distance of 0.5556 cm between each line of text. Section 1.301(b)(3) of the Rules specifically requires that any appeal brought pursuant to Section 1.301 of the Rules conform with the specifications set out in Section 1.49 of the Rules.⁷ Section 1.49 of the Rules requires, *inter alia*, that the body of the text of any pleadings and documents filed in paper form in any Commission proceedings "must be double-spaced with a minimum distance of 7/32 of an inch (0.5556 cm.) between each line of text."⁸ The space between each line of text in the Appeal measures less than the required amounts. As such, it violates Section 1.301(b)(3) of the Rules. On this independent basis, the Appeal also should be denied.

4. Accordingly, the Bureau respectfully opposes Crowell's Appeal.

⁵ In point of fact, the Appeal does not even contain a citation to the underlying Petition, or to the title of the order it purports to challenge.

⁶ See 47 C.F.R. § 1.301(b)(5).

⁷ See 47 C.F.R. § 1.301(b)(3) (stating that "[t]he appeal shall conform with the specifications set out in §1.49").

⁸ See 47 C.F.R. § 1.49(a).

Respectfully submitted,

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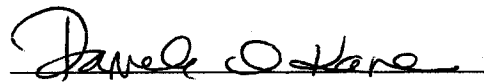
CERTIFICATE OF SERVICE

Pamela S. Kane certifies that she has on this 5th day of April, 2017, sent copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO CROWELL'S INTERLOCUTORY APPEAL" via email to:

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